

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SCOTT E. ELDREDGE,	:	Civil Action No. 4:13-CV-1254
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
MICHAEL FIORENTINO,	:	
	:	
	:	(Magistrate Judge Schwab)
Defendant.	:	

**ORDER**

March 5, 2014

**BACKGROUND:**

The undersigned has given full and independent consideration to the January 13, 2014 report and recommendation of Magistrate Judge Susan E. Schwab.

Neither party filed objections to the report and recommendation.

Because this Court agrees with Magistrate Judge Schwab's analysis, and reliance on *Seacrist v. Skrepenak*, 2009 WL 959640, 2009 U.S. Dist. LEXIS 29309 (M.D. Pa. 2009) (Caputo, J.), the Court will not rehash the sound reasoning of the magistrate judge and will adopt the report and recommendation in its entirety.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. United States Magistrate Judge Susan E. Schwab's Report and Recommendation is ADOPTED in full. January 13, 2014, ECF No. 19.
2. Defendant's Motion to Dismiss is GRANTED. July 30, 2013, ECF No. 4.
3. Count I of Plaintiff's complaint is DISMISSED with prejudice.
4. The court declines to exercise supplemental jurisdiction over Counts II and III of Plaintiff's complaint.
5. The clerk is directed to close the case file.

BY THE COURT:

s/ Matthew W. Brann  
Matthew W. Brann  
United States District Judge